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C O N F I D E N T I A L SECTION 01 OF 04 BEIJING 002172

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TAGS: PHUM PREL KOLY CH

SUBJECT: U.S.-China Human Rights Dialogue: May 27 meeting with PRC State Council Information Office

Classified by Political Minister Counselor Aubrey Carlson. Reasons 1.4 (b) and (d).

SUMMARY

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¶1. (C) Visiting DRL Assistant Secretary David Kramer pushed for greater press freedom and a reduction of restrictions on the Internet in a May 27 meeting with State Council Information Office Internet Department Deputy Director General (DDG) Liu Zhengrong. A/S Kramer told DDG Liu that China should make permanent the Olympics-specific relaxed regulations for foreign press, which are currently due to expire in October, and lift restrictions on the domestic press. DDG Liu said that Chinese restrictions on the press and Internet are the minimum necessary considering China's "special circumstances" and that all such restrictions are in accordance with Chinese law. He asserted that there is "sufficient freedom of speech in China." End Summary.

FREEDOM, PLUS RESPONSIBILITY, OF THE PRESS

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¶2. (C) State Council Information Office Internet Bureau Deputy Director General Liu Zhengrong met with Assistant Secretary of State for Democracy, Human Rights and Labor David Kramer May 27. A/S Kramer noted that he found useful and interesting the May 26 Human Rights Dialogue (HRD) discussion on information and Internet/media freedom. This is a good area in which to exchange views to try to narrow differences between the United States and China, he said.

¶3. (C) A/S Kramer challenged DDG Liu's use of the term "responsibility of the press." Media responsibility lies with the journalists, not with the state. Likewise, "objectivity" is an ideal that journalists should seek for themselves. The general approach of the United States is to stay out of the media's affairs. The media, in our system, functions as a check and a balance on government. Experience has shown the USG that this is the right approach. To do their jobs, journalists need to not feel as though they are putting their lives at risk for reporting the news. Likewise, analysts and commentators need to not feel that they are putting their lives at risk for offering their opinions. It is also important for those who talk to journalists to feel safe. Without sources, journalists cannot do their jobs. A/S Kramer urged that the relaxed regulations for the foreign press promulgated in January 2007 to meet China's Olympic bid commitment to allow freedom of the press be applied to both domestic and foreign journalists and be made permanent.

PRC OFFICIAL: FREEDOM OF EXPRESSION IMPROVING IN CHINA

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¶4. (C) DDG Liu challenged those "outside China" who claim that there is "not much" free speech in China. This is not a comprehensive view, DDG Liu said. Freedom of speech "has always been protected by law in China," he claimed. In the past, Liu admitted, the average Chinese person did not have the chance to express his views on public affairs. Now the situation has changed, and Chinese people have many more channels to express their views. This freedom of speech is unprecedented in China, and it is sufficient, he declared.

¶ 15. (C) DDG Liu recited statistics to demonstrate the scope of freedom of speech in China. There are at least 700,000 websites "for Chinese people to discuss a wide range of issues," he said. Respect for popular opinion and the protection of the right of people to express their views have become "important guiding principles" for the Chinese Communist Party and the Government. The 17th Communist Party Congress Political Report contains language concerning the protection of the people's right to express their views, as well as the responsibility of the people expressing those views. Foreign observers should look at Chinese freedom of expression "from a historical perspective and in a comprehensive way." Now, people in China enjoy "unprecedented freedom of expression, and people are satisfied with it."

¶ 16. (C) The issue of freedom of expression is closely linked to the free flow of information, DDG Liu continued. Some foreign media claim that China imposes restrictions on the free flow of information, a "non-objective" point of view. China has taken measures to promote the free flow of information and in recent years has emphasized efforts to satisfy the people's demand for information. The Government has promulgated regulations regarding the transparency of information on government work and has passed a law concerning emergency events. This gives Chinese people "more, quicker" access to information. In addition, the Chinese Government has taken steps to establish a system of spokesmen at all levels of government. The SCIO holds training courses for these spokesmen. DDG Liu said that it has become a fundamental principle to provide timely access to information for Chinese people. However, he claimed, China is not satisfied with the status quo. "Some people have not established this concept in their minds," he said, "and so we are making more efforts to help people, including some officials,

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change their minds about providing fast access to information."

#### ROLE OF THE GOVERNMENT IN REGULATING MEDIA

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¶ 17. (C) DDG Liu said that he gives lectures at SCIO training courses for government spokesmen, and in those lectures he cautions them against covering up information. "If you give out information quickly, it is the most efficient way to resolve any crisis," he said. Media responsibility, however, is also important, and this is an area where the world can learn from the United States. Modern media theory originated in the United States, DDG Liu said, as did the study of public opinion. DDG Liu quoted an American media textbook claiming that the "effects of communication must serve the public interest." With this in mind, he said, the Chinese position is that media freedom cannot be unrestricted. All parties, government, journalists and media, must take responsibility. The media's basic responsibility is to ensure that the people learn what has happened. The Government's responsibility is sometimes misunderstood, but is primarily to regulate the media. The editorial boards of media outlets must make the decisions about what to report and what not to report. The United States has its own approach to this issue, DDG Liu said, but even the USG exerts controls over the media. In fact, the Chinese Government is impressed by the USG's "skillful approach" to influencing reporting and controlling the media.

¶ 18. (C) A/S Kramer interjected that there is a very large difference between attempting to influence coverage of an issue by providing information and attempting to control coverage by regulation or legislation. USG agencies place information in the hands of journalists, but it is ultimately up to those journalists how that information is reported. The USG does not tell U.S. media outlets what they can or cannot put on screen or in newspapers. Similarly, access to information in China is more restricted than it is in the United States. Certain Internet searches conducted with normal results in the United States will turn up different or nonexistent results in China. For example, searching for the term "Dalai Lama" would not provide nearly as many results in China as it does in the United States.

INTERNET FREEDOM

19. (C) All kinds of information are available on the Internet in China, DDG Liu averred. In addition to providing information, the Government takes measures to control illegal information or information "unwelcomed by the public." DDG Liu agreed that control and regulation of the media are different in China, and that in China the Government regulates media organizations, but he argued that it remains up to the editorial boards what to print. The volume of information makes censorship or direct government involvement in Internet content impossible. "The four main Chinese commercial websites publish 70,000 news pieces a day. We could not exercise censorship over that, and so we do not try."

110. (C) DDG Liu acknowledged that the same Google search in the United States and China will yield different results in "a very few cases." For example, searches involving Taiwan, the Dalai Lama, Tibet or Falungong will yield different results in China than in the United States. For the average web user, these differences will not be important, he said. The actual influence on the search results is a result of keyword filters set up by Chinese Internet providers to block "illegal information." Regulation of the content of information returned in Internet searches covers four main categories: inciting separatism; supporting or inciting the "cult of Falungong"; involving pornography, gambling or fraud; and violating "traditional Chinese morals (daode)," for example, advocating a bad lifestyle or undermining solidarity and unity among Chinese ethnic groups.

111. (C) China has "special considerations" when it comes to regulating the Internet, DDG Liu said. China must concern itself with protecting its territorial integrity. The Falungong issue in China is just as sensitive to China as terrorism is to the United States, DDG Liu stated. Liu complained that "over 2,000" Chinese language gambling websites aimed at Chinese customers are located offshore. "What would the United States do if some Chinese person set up a group of websites targeting Americans with online gambling and pornography," DDG Liu asked rhetorically. China must restrict this kind of website in accordance with Chinese law. The Chinese people will severely criticize the Government if it fails to do so, he said.

112. (C) Chinese citizens have logged over 800,000 reports and complaints about websites at the "illegal Internet information reporting center" since 2004, DDG Liu said. This illustrates the concern of the Chinese people, he argued, and as a result the Chinese Government "has no choice but to control this illegal information." Different countries face different problems and handle them in

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different ways, he continued. The fact that the United States pursues a private sector-focused solution to the problems of Internet abuse does not necessarily mean that this is the best way for China to handle the problem. China believes that the Government should avoid unnecessary legislation but should also play a role in the protection of the national interest. This is also the core of the U.S. Government's Internet policy, he asserted. The USG promoted the development of the Internet industry and the regulation of that industry, DDG Liu said.

113. (C) A/S Kramer interjected that child pornography is the only area where the U.S. Government intervenes in the Internet industry, except for certain states where Internet gambling is illegal. The United States does not control and does not regulate the Internet. In addition, the U.S. Government does not block websites it finds in contravention of U.S. law. Instead, it prosecutes those who have broken the law. EAP DAS Tom Christensen noted that even websites supporting Osama bin Laden are not blocked in the United States. A/S Kramer observed that the United States and China start from fundamentally different positions on the role of the state and the responsibility of the individual. In the U.S. experience, less government involvement is better.

114. (C) DDG Liu responded that dealing with online media is not as simple as it seems. Even in the West, he noted, different countries have different laws. The United States may not block Internet sites,

but in the UK, child pornography sites are blocked, and on a weekly basis the government agencies concerned send keywords to major Internet sites so that they can be filtered. Looking at this situation, China feels as though it is unfairly singled out for its Internet policy.

¶115. (C) In fact, DDG Liu claimed, China's Internet policy is "consistent with international practice." DDG Liu cited the "notice and take down" approach used by Yahoo, the New York Times and the Washington Post websites in the United States as an example. Those famous sites' rules for posting content "are even stricter than the Chinese Government rules," DDG Liu declared. A/S Kramer pointed out that there is a very large difference between the editor of a private publication making decisions on the content of an online website and the state ordering the same behavior. In the United States, there is no provision for the U.S. Government to prevent a newspaper or a website from running any article. The right to create websites for or against any political or other position is guaranteed to all.

¶116. (C) A/S Kramer informed DDG Liu that he tried to arrange to hold a webchat while in China, but had not received permission. DDG Liu stated that he knew nothing about such a request, but speculated that perhaps Chinese Internet providers do not wish to be involved with such sensitive material. DDG Liu re-emphasized his point that China has its own way of addressing these issues, and cannot be expected to "copy" the United States. He invited A/S Kramer to visit an Internet bar to see Chinese Internet expression and use in action. "We may not reach common ground on this issue," DDG Liu said, "but we can increase our common understanding."

¶117. (U) PARTICIPANTS:

United States

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¶118. The delegation cleared this message.

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